

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

DOHERTY KUSHIMO  
SABURI ADEYEMI  
ABIODUN BAKRE  
ADETUNJI GBADEGESHI  
a/k/a Rasag Adesina  
ADEBOLA MEJULE  
MICHAEL IDOWU OLUGBADE  
a/k/a Gbade Idowu Mejule  
a/k/a Emmanuel Ibukunolu Idowu Olugbade  
XERXES SHEVAR  
GCOBISA KEHLE  
KWEKU JOSEPH WIREKO  
a/k/a Joseph Kula Wireko  
a/k/a Loyiso Kula  
ABIODUN TIJANI  
a/k/a Dakova  
FUNMILAYO ALIYU  
a/k/a Aliu  
BOLA PETERS  
a/k/a Bola M. Kassim  
a/k/a Muti Kassim  
a/k/a Renee Copley  
a/k/a Elizabeth Brown  
SAMUEL SOBALOJU  
DANIEL FREEMAN  
NANA BAFFOUR  
KWAME ASAMOAH  
ROBERT WIREKO  
ALAIRE SANYA  
OLANREWaju AJETUNMOBI  
a/k/a Olan  
a/k/a Lanre  
a/k/a Larry  
MICHAEL OLUSEGUN AKINWALE  
a/k/a Sege  
a/k/a Segr  
a/k/a Segun  
OLAYINKA OLURINDE  
a/k/a Yinka  
WILLIAM SARFO  
SHELDON THOMAS  
FESTUS OWUSU

Criminal No. 14-12 Erie  
(18 U.S.C. §§1349 and  
1028A(a)(1))

(Under Seal)

U.S. DISTRICT COURT  
CLERK

15 MAY -4 P2:22

FILED

**FIFTH SUPERSEDING INDICTMENT**

The grand jury charges:

**INTRODUCTION**

At all times material to this Fifth Superseding  
Indictment:

1. Defendant DOHERTY KUSHIMO was a resident of Providence, Rhode Island.
2. Defendant SABURI ADEYEMI was a resident of Memphis, Tennessee.
3. Defendant ABIODUN BAKRE was a resident of Ozone Park, Borough of Queens, New York.
4. Defendant ADETUNJI GBADEGESHI, also known as Rasag Adesina, was a resident of Rosedale, Borough of Queens, New York.
5. Defendant ADEBOLA MEJULE was a resident of Hempstead, New York.
6. Defendant MICHAEL IDOWU OLUGBADE, also known as Gbade Idowu Mejule and Emmanuel Ibukunolu Idowu Olugbade was a resident of Brownsburg, Indiana.
7. Defendant XERXES SHEVAR was a resident of Brooklyn, New York.
8. Defendant GCOBISA KEHLE was a resident of Brooklyn, New York.
9. Defendant KWEKU JOSEPH WIREKO, also known as Joseph Kula Wireko and Loyiso Kula, was a resident of Brooklyn, New York.

10. Defendant ABIODUN TIJANI, also known as Dakova, was a resident of Staten Island, New York.

11. Defendant FUNMILAYO ALIYU, also known as Aliu, was a resident of Laurelton, New York.

12. Defendant BOLA PETERS, also known as Bola M. Kassim, Muti Kassim, Renee Copley and Elizabeth Brown, was a resident of Rosedale, New York.

13. Defendant SAMUEL SOBALOU was a resident of Far Rockaway, New York.

14. Defendant DANIEL FREEMAN was a resident of Danbury, Connecticut.

15. Defendant NANA BAFFOUR was a resident of Bronx, New York.

16. Defendant KWAME ASAMOA was a resident of Brooklyn, New York.

17. Defendant ROBERT WIREKO was a resident of Brooklyn, New York.

18. Defendant ALAIRE SANYA was a resident of Far Rockaway, New York.

19. Defendant OLANREWAJU AJETUNMOBI, also known as Olan, Lanre and Larry, was a resident of Austell, Georgia.

20. Defendant MICHAEL OLUSEGUN AKINWALE, also known as Sege, Segr and Segun was a resident of Dublin, Ireland.

21. Defendant OLAYINKA OLURINDE, also known as Yinka, was a resident of Brooklyn, New York.

22. Defendant WILLIAM SARFO was a resident of Brooklyn, New York.

23. Defendant SHELDON THOMAS was a resident of Brooklyn, New York.

24. Defendant FESTUS OWUSU was a resident of Brooklyn, New York.

25. The Internal Revenue Service ("IRS") was an agency of the United States Department of the Treasury responsible for enforcing and administering the tax laws of the United States and collecting taxes owed to the United States.

26. The standard form used by United States citizens to file individual federal income tax returns was the Form 1040. On a Form 1040, taxpayers were required to report, among a variety of items, their wages, withholdings and applicable tax credits. Based on the information reported in Form 1040s, the United States Treasury either required taxpayers to pay additional taxes or refunded excess tax payments to taxpayers.

27. The IRS allowed taxpayers to file their tax returns via the United States mail, electronically ("e-file") with commercial tax software such as TurboTax, or electronically through a paid tax preparer.

28. The United States Treasury paid tax refunds in the form of United States treasury checks sent to the taxpayer via the United States Postal Service, or direct deposit wire transfers into the bank account(s) or debit card(s) designated by the taxpayer on their federal tax return.

29. A "means of identification" was any name or number that may be used, alone or in conjunction with other information, to identify a specific individual, including but not limited to, a name, Social Security number, driver's license number or date of birth.

#### THE CONSPIRACY AND ITS OBJECTS

30. From in and around December 2005, and continuing thereafter until in and around November 2014, in the Western District of Pennsylvania, and elsewhere, the defendants, DOHERTY KUSHIMO, SABURI ADEYEMI, ABIODUN BAKRE, ADETUNJI GBADEGESHI, also known as Rasaq Adesina, ADEBOLA MEJULE, MICHAEL IDOWU OLUGBADE, also known as Gbade Idowu Mejule and Emmanuel Ibukunolu Idowu Olugbade, XERXES SHEVAR, GCOBISA KEHLE, KWEKU JOSEPH WIREKO, also known as Joseph Kula Wireko and Loyiso Kula, ABIODUN TIJANI, also known as Dakova, FUNMILAYO ALIYU, also known as Aliu, BOLA PETERS, also known as Bola M. Kassim, Muti Kassim, Renee Copley and Elizabeth Brown, SAMUEL SOBALOJU, DANIEL FREEMAN, NANA BAFFOUR, KWAME ASAMOAH, ROBERT WIREKO, ALAIRE SANYA, OLANREWAJU AJETUNMOBI, also known as Olan, Lanre and Larry, MICHAEL OLUSEGUN AKINWALE, also known as Sege, Segr

and Segun, OLAYINKA OLURINDE, also known as Yinka, WILLIAM SARFO, SHELDON THOMAS, FESTUS OWUSU, and others, both known and unknown to the grand jury, knowingly, willfully and unlawfully conspired and agreed together to commit the crime of wire fraud, in violation of Title 18, United States Code, Section 1343.

**MANNER AND MEANS OF THE CONSPIRACY**

31. It was part of the conspiracy that the Co-Conspirators unlawfully obtained the means of identification, including, but not limited to, names, Social Security numbers, and dates of birth, of thousands of individuals.

32. It was further a part of the conspiracy that the Co-Conspirators shared the stolen means of identification with each other using email and other means of communication.

33. It was further a part of the conspiracy that the Co-Conspirators filed, or caused to be filed with the IRS, false and fraudulent Form 1040s using the unlawfully obtained means of identification. The fraudulent Form 1040s were completed using falsified information on the tax return including falsified wages earned, taxes withheld, allowable tax credits and other data. The fraudulent Form 1040s were drafted to make it appear as though the tax return filers, whose means of identification had been stolen, were entitled to tax refunds.

34. It was further a part of the conspiracy that the Co-Conspirators valued identities of individuals who were unlikely

to file a legitimate federal tax return ("clean" stolen identities) to use for the submission of false and fraudulent Form 1040s to the IRS. By using "clean" stolen identities, the Co-Conspirators sought to minimize their risk of detection because the use of "clean" stolen identities would reduce the occasions where the Co-Conspirators filed a fraudulent tax return using a stolen identity after the actual taxpayer had already filed a legitimate tax return, thereby possibly putting the IRS on notice that a fraud was occurring.

35. It was further a part of the conspiracy that the Co-Conspirators procured false identification documents, including but not limited to, driver's licenses and Social Security cards, that were used to open bank accounts at numerous financial institutions throughout the United States, including but not limited to, Widget Financial (formerly Erie General Electric Federal Credit Union, Erie, Pennsylvania), PNC Bank (Pittsburgh, Pennsylvania), Treasury Department Federal Credit Union (Washington, D.C.), Air Force Academy Credit Union (Colorado), Pennsylvania State Employees Credit Union (Harrisburg, Pennsylvania), Red Canoe Credit Union (Longview, Washington), Rutgers Federal Credit Union (New Brunswick, New Jersey) Lake Michigan Federal Credit Union (Grand Rapids, Michigan) and Windward Credit Union (Oahu, Hawaii) using the stolen means of identification that the Co-Conspirators had obtained.

36. It was further a part of the conspiracy that when the fraudulent bank accounts were opened by the Co-Conspirators,

addresses, phone numbers and email accounts were provided to the financial institutions which were different than those actually belonging to those individuals whose means of identification had been stolen. The fraudulent addresses, phone numbers and email accounts were provided so that those individuals whose identities had been stolen would not be notified of the fraud. The fraudulent addresses, phone numbers and email addresses were either under the control of the Co-Conspirators or were accessible to the Co-Conspirators so that it would be more difficult for the financial institutions to discover the fraud.

37. It was further a part of the conspiracy that when opening the fraudulent bank accounts, the Co-Conspirators verified the false addresses listed on the fraudulent account applications by providing the banks with false and altered documents, such as fake utility statements.

38. It was further a part of the conspiracy that these fraudulently opened bank accounts were then used as repositories for the fraudulently obtained federal tax refunds.

39. It was further a part of the conspiracy that the Co-Conspirators then removed the tax refunds from the fraudulently opened bank accounts under their control, spent a portion of the ill-gotten funds, deposited some of the illegally obtained funds into their legitimate personal bank accounts, sent a portion of the illegal proceeds to Nigeria and dispersed the funds in other unknown



ways.

40. It was further a part of the conspiracy that the Co-Conspirators obtained credit cards using the stolen means of identification that they had obtained. The Co-Conspirators then shared these credit cards with each other and even used the stolen identity credit cards in furtherance of the conspiracy. For example, Defendant DOHERTY KUSHIMO used a credit card obtained using the means of identification of R.C. to purchase Internet anonymizing software.

41. It was further a part of the conspiracy that the Co-Conspirators also obtained, via the Internet, credit card numbers with the corresponding security codes, shared these credit card numbers and security codes with each other and used these unlawfully procured credit card numbers without the permission of the lawful holders of the credit cards.

42. It was further a part of the conspiracy that relative to the illegal procurement and use of credit cards and credit card numbers, the Co-Conspirators sought individuals with good credit so as to ensure that the use of credit in these individuals' stolen identities would be more fruitful. In seeking victims with good credit, the Co-Conspirators checked the credit of numerous individuals by accessing, via the Internet, the victims' personal credit history information on credit reporting websites and publicly available databases.

43. It was further a part of the conspiracy that the Co-Conspirators conducted their activities and transactions in a manner designed to conceal their criminal activity and frustrate law enforcement, including: (a) e-filing fraudulent tax returns using Internet based services like TurboTax by using the names of identity theft victims; (b) using coded and ambiguous language to refer to various aspects of the conspiracy; (c) avoiding the use of their real names and instead referring to each other by nicknames or coded names; (d) using prepaid cell phones (also known as "drop phones") which they changed on a regular basis; (e) obtaining and using software which allowed them to remain anonymous on the Internet; (f) using multiple email accounts that were not in their own names and changing email accounts regularly; and (g) using wireless air cards to connect to the Internet and avoiding the use of static Internet connections so as to frustrate law enforcement's ability to pinpoint the location of their Internet use.

44. It was further a part of the conspiracy that numerous Co-Conspirators allowed bank accounts opened in their own names or the names of others and under their control to be utilized as repositories for the fraudulently obtained federal tax refunds.

45. It was further a part of the conspiracy that those Co-Conspirators who allowed the use of bank accounts opened in their own names or the names of others and under their control, would then withdraw a portion, typically approximately half, of the

fraudulently obtained tax refunds, and forward those funds to other Co-Conspirators, while the remaining funds were kept as payment for the use of the bank accounts.

46. In total, the conspiracy to commit wire fraud sought, from 2005 to February 2015, more than approximately \$61.5 million in fraudulent federal tax refunds. For just the tax years 2010 to 2013, the conspirators caused approximately 3,670 fraudulent Form 1040 federal income tax returns to be filed with the Internal Revenue Service, seeking approximately \$38 million in tax refunds, and causing actual losses to the United States Treasury, for the 2010 to 2013 tax years, of approximately \$10 million. The conspiracy also involved the opening or attempted opening of approximately 3,493 bank accounts using stolen identities, affecting approximately 443 banks and credit unions. The conspiracy also encompassed the procurement or attempted procurement, using stolen identities, of approximately 4,563 credit cards. To date, the conspiracy has impacted an approximate total number of 11,468 identity theft victims.

In violation of Title 18, United States Code, Section 1349.

COUNTS TWO THROUGH THIRTEEN

The grand jury further charges:

47. Paragraphs 1 through 46 are realleged and incorporated herein as if fully set forth.

48. On or about the dates set forth below, within the Western District of Pennsylvania and elsewhere, the defendants listed below, during and in relation to the felony violation of Title 18, United States Code, Section 1349 (conspiracy to commit wire fraud), as set forth in Count One, did knowingly transfer, possess and use, and cause to be transferred, possessed and used, without lawful authority, a means of identification of another person, that is, the name and Social Security number of another person (listed below by initials only).

COUNT	DEFENDANTS	DATE	INDIVIDUAL
TWO	BAKRE	March 2011	J.H.
THREE	KUSHIMO BAKRE	November 2011	R.B.
FOUR	KUSHIMO BAKRE	December 2011	D.M.L.
FIVE	KUSHIMO BAKRE	December 2011	J.H.
SIX	KUSHIMO BAKRE	January 2012	M.P.
SEVEN	KUSHIMO	April 2012	D.M.
EIGHT	BAKRE	July 2012	R.T.
NINE	KUSHIMO	July 2012	D.A.W.
TEN	KUSHIMO BAKRE	August 2012	D.W.M
ELEVEN	BAKRE	September 2012	M.L.S.
TWELVE	KUSHIMO	September 2012	D.K.
THIRTEEN	KUSHIMO	October 2012	J.L.

In violation of Title 18, United States Code, Section 1028A(a)(1).

### FORFEITURE ALLEGATIONS

1. The Grand Jury realleges and incorporates by reference the allegations contained in Counts One through Thirteen of this Fifth Superseding Indictment for the purpose of alleging criminal forfeitures.

2. As a result of the commission of the violations charged in Counts One, Three, Four, Five, Six, Seven, Nine, Ten, Twelve and Thirteen of this Fifth Superseding Indictment, the defendant, DOHERTY KUSHIMO, did acquire proceeds that are subject to forfeiture pursuant to Title 28, United States Code, Section 2461(c).

3. As a result of the commission of the violations charged in Counts One, Three, Four, Five, Six, Seven, Nine, Ten, Twelve and Thirteen of this Fifth Superseding Indictment, the defendant, DOHERTY KUSHIMO, did acquire the following property that was involved in such violations, or is traceable to property involved in such violations, thereby subjecting said property to forfeiture to the United States of America pursuant to Title 18, United States Code, Section 981(a)(1)(C):

- a) \$11,680 in United States currency,
- b) \$10,942 in United States Postal Service money orders,
- c) \$1,850 in Money Gram International money orders.

4. As a result of the commission of the violation charged in Count One of this Fifth Superseding Indictment, the defendant,

ADEBOLA MEJULE, did acquire proceeds that are subject to forfeiture pursuant to Title 28, United States Code, Section 2461(c).

5. As a result of the commission of the violation charged in Count One of this Fifth Superseding Indictment, the defendant, ADEBOLA MEJULE, did acquire the following property that was involved in such violations, or is traceable to property involved in such violations, thereby subjecting said property to forfeiture to the United States of America pursuant to Title 18, United States Code, Section 981(a)(1)(C): \$24,201 in United States currency.

6. As a result of the commission of the violation charged in Count One of this Fifth Superseding Indictment, the defendant, MICHAEL IDOWU OLUGBADE, also known as Gbade Idowu Mejule and Emmanuel Ibukunolu Idowu Olugbade, did acquire proceeds that are subject to forfeiture pursuant to Title 28, United States Code, Section 2461(c).

7. As a result of the commission of the violation charged in Count One of this Fifth Superseding Indictment, the defendant, MICHAEL IDOWU OLUGBADE, also known as Gbade Idowu Mejule and Emmanuel Ibukunolu Idowu Olugbade, did acquire the following property that was involved in such violations, or is traceable to property involved in such violations, thereby subjecting said property to forfeiture to the United States of America pursuant to Title 18, United States Code, Section 981(a)(1)(C): \$3,440 in United States currency.

8. As a result of the commission of the violation charged in Count One of this Fifth Superseding Indictment, the defendant,

XERXES SHEVAR, did acquire proceeds that are subject to forfeiture pursuant to Title 28, United States Code, Section 2461(c).

9. As a result of the commission of the violation charged in Count One of this Fifth Superseding Indictment, the defendant, XERXES SHEVAR, did acquire the following property that was involved in such violations, or is traceable to property involved in such violations, thereby subjecting said property to forfeiture to the United States of America pursuant to Title 18, United States Code, Section 981(a)(1)(C): BMW X6, VIN: 5UXFG2C53DL783150.

10. As a result of the commission of the violation charged in Count One of this Fifth Superseding Indictment, the defendant, OLAYINKA OLURINDE, also known as Yinka, did acquire proceeds that are subject to forfeiture pursuant to Title 28, United States Code, Section 2461(c).

11. As a result of the commission of the violation charged in Count One of this Fifth Superseding Indictment, the defendant, OLAYINKA OLURINDE, also known as Yinka, did acquire the following property that was involved in such violations, or is traceable to property involved in such violations, thereby subjecting said property to forfeiture to the United States of America pursuant to Title 18, United States Code, Section 981(a)(1)(C): \$81,000 in United States currency.

12. If through any act or omission by the defendants, DOHERTY KUSHIMO, ADEBOLA MEJULE, MICHAEL IDOWU OLUGBADE, also known

as Gbade Idowu Mejule and Emmanuel Ibukunolu Idowu Olugbade, XERXES SHEVAR, and OLAYINKA OLURINDE, also known as Yinka, any or all of the property described in paragraphs 2 through 11 above (hereinafter the "Subject Properties"):

a. Cannot be located upon the exercise of due diligence;

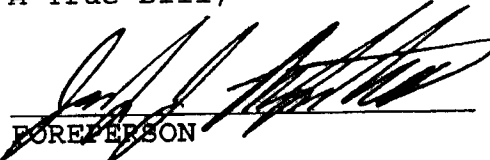
b. Has been transferred, sold to, or deposited with a third person;

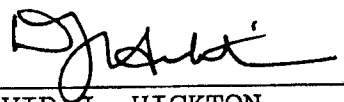
c. Has been placed beyond the jurisdiction of the Court;

d. Has been substantially diminished in value; or

e. Has been commingled with other property which cannot be subdivided without difficulty, the United States intends to seek forfeiture of any other property of the defendants up to the value of the Subject Property forfeitable above pursuant to Title 18, United States Code, Section 982(b)(1).

A True Bill,

  
FOREPERSON

  
\_\_\_\_\_  
DAVID J. HICKTON  
United States Attorney  
PA ID No. 34524